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March 2, 2018

Via Electronic Filing

Hon. Sarah Netburn  
United States Magistrate Judge  
United States District Court  
for the Southern District of New York  
Thurgood Marshall  
United States Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

**Re: *Centauro Liquid Opportunities Master Fund, L.P. v. Bazzoni, et al., No. 15-cv-9003 (LTS) (SN)***

Dear Judge Netburn:

In compliance with the Court's February 5, 2018 order (ECF No. 181), the parties to the above-captioned action submit this joint letter informing the Court of the status of discovery. The parties' respective positions are set forth below:

Plaintiff Centauro Liquid Opportunities Master Fund L.P. ("Centauro"):

Since the last update to the Court on January 31, 2018, Centauro received initial disclosures from defendant Elemento on February 7, 2018, and document requests on February 9, 2018. Centauro also received document requests from defendants Bazzoni and CT Energia Ltd., on February 8, 2018. Centauro is in the process of reviewing Defendants' document requests, which are extensive, and will respond to each within the time permitted under the Federal Rules. Today, defendants Bazzoni and CT Energia Ltd. noticed depositions for Yvonne Morabito and for a Rule 30(b)(6) witness, both for March 30, 2018. Centauro is in the process of reviewing these notices.

Centauro issued document requests to all Defendants on February 23, 2018, and issued interrogatories to Elemento on February 26, 2018. Centauro has noticed a Rule 30(b)(6) deposition for Elemento, and counsel are in discussions about the timing of that deposition, currently scheduled for March 15, 2018. Centauro conferred with Elemento's counsel regarding additional depositions of Elemento-related fact witnesses on February 9, 2018, and will do so again in the next week.



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Centauro also intends to confer with defense counsel about their document requests in the next week, and to discuss the parameters of the document production Centauro intends to make. As is evident, there are a number of open discovery items, including the scope of Centauro's document productions to Defendants, Defendants' document production(s) to Centauro, and the scheduling of depositions. As a result, although there are no discovery disputes at present, Centauro reserves its right to seek relief from the Court if any arise, including relief from the current April 2, 2018 discovery deadline.

Defendants Alessandro Bazzoni and CT Energia Ltd.:

Bazzoni and CT Energia Ltd. served their Document Demands and Notices of Deposition for discovery concerning Plaintiff's additional claims and allegations added by way of its Amended Complaint. Bazzoni and CT Energia Ltd. anticipate all such discovery to be completed by the April 2, 2018 discovery deadline and are not aware of any current discovery dispute.

Defendant Elemento Ltd.:

Elemento served document requests on Centauro on February 9, 2018. Elemento intends to serve interrogatories and deposition notices upon Centauro today.

Elemento has received substantial document requests, interrogatories, and a Rule 30(b)(6) deposition notice from Centauro. Centauro served its document requests on Elemento on February 23, 2018. Elemento's responses and objections to Centauro's document requests are due March 26, 2018. Elemento will begin producing documents in due course, however, it is unlikely that Elemento can complete its production of documents responsive to Centauro's document requests before the April 2, 2018 fact discovery deadline.

Centauro noticed Elemento's Rule 30(b)(6) deposition for March 15, 2018. Elemento believes that it can go forward with the deposition on that date, but is in the process of confirming witness availability.

Counsel for Elemento will meet and confer with Centauro's counsel regarding discovery requests next week.

Respectfully submitted,

/s/ Byron Pacheco

Byron Pacheco, Esq.  
*Counsel for Plaintiff Centauro*

**BSF**

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Counsel of record (via ECF)

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